

REMARKS

Claims 1-5, 8-11, 14-18, 20, 23, 24, 28, 29 and 30 are pending. By this Amendment, claims 1, 3, 8-11, 14, 16, 18 and 23 are amended, dependent claims 29 and 30 are added, and claims 6, 7, 12, 13, 19, 21, 22 and 25-27 are cancelled without prejudice to or disclaimer of the subject matter contained therein. No new matter is added. Reconsideration of the application is respectfully requested.

Applicant appreciates the courtesies extended by Examiner Pokryzwa during the September 13 telephone interview. Applicant's record of the substance of the interview is incorporated into the following remarks.

Applicant also appreciates the allowance of claim 28 and the indication that claims 3, 4, 8, 9, 13, 14, 18, 19, 22 and 23 contain allowable subject matter. Applicant amended allowable claims 3 and 8 to place the claims in independent form and amended claims 11, 18 and 20 to respectively incorporate the features of claims 12 and 13, 16, 17 and 19, 21 and 22. For at least these reasons, Applicant submits that claims 3, 4, 8-11, 14, 15, 18, 20, 23 and 24 are allowable. Further, for at least the reasons discussed below, Applicant submits that all pending claims are allowable.

Claims 1, 5, 6, 10, 11, 15, 16, 20 and 24-27 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,084,770 to Nakayama, and claims 2, 7, 12, 17 and 21 are rejected under 35 U.S.C. §103(a) over Nakayama in view of WO 97/10668 ("WO'668"). The rejection of claims 6, 7, 12, 21, and 25-27 is rendered moot in view of the cancellation of the claims. The rejections of claim 10, 11, 15, 20 and 24 is rendered moot by the above amendments. The rejection of claims 1, 2, 5, 16 and 20 is respectfully traversed.

As agreed during the September 13 telephone interview, Nakayama fails to disclose or suggest: (1) a communication apparatus including, *inter alia*, a transmission device that transmits the image information without the transmission information attached thereto by the

transmission information attaching device when the not-attaching transmission information setting for the address information is selected, as recited in amended claim 1; and (2) a communication apparatus including, *inter alia*, a transmission device that transmits to the receiver the image information without the image transmission information attached when the transmission information attaching device determines, based on the address information input by the address inputting device, that the not-attaching transmission information setting for not attaching the transmission information to the image information is selected, as recited in amended claim 16.

The objective of Nakayama is to provide an apparatus that provides identification information related to each file of a batch transmission instead of the entire batch transmission (col. 1, line 64 - col. 2, line 2). Thus, in Nakayama, identification signals are automatically attached to each page (col. 2, lines 29-36) and there is no option of not attaching identification signals.

Also as agreed during the September 13 telephone interview, WO'668 fails to overcome the deficiencies of Nakayama, as applied to independent claims 1 and 16.

For at least these reasons, Nakayama, alone or in combination with WO'668, fails to disclose or suggest all the features of independent claims 1 and 16, as well as all the features of claims 2, 5, 17, 28 and 29 which depend therefrom. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:MMI/ccs

Attachments:

Amendment Transmittal
Petition for Extension of Time

Date: September 13, 2005

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